

Mr. William H. Cushney proposed to print the laws at one-sixth of a cent, and the journals at one-fourth of a cent per page.

Nominations being in order, on the part of the Senate.

Mr. Burleson nominated Mr. Wm. H. Cushney.

" Ward " " Chas. De Morse.

" Van Derlip " Messrs. Cruger & Moore and Lewis & Groesbeeck.

Mr. Pease was appointed teller, on the part of the Senate.

On motion of Mr. Portis, a committee was appointed to wait on Mr. Isaac Parker and receive his vote, he being confined to his room by sickness.

Messrs. Portis and McRae were appointed said committee.

Mr. Hart withdrew the nomination and bid of Mr. Charles De Morse.

On calling the roll, the vote stood as follows :

For Mr. Cushney : Messrs. Burleson, Gage, Grimes, Hart, Latimer, McRae, Moffett, Pease, Phillips, Robertson, Taylor, Truit, Ward and Walker—14.

For Messrs. Cruger & Moore and Lewis & Groesbeeck :— Messrs. Brashear, Davis, Parker, Portis and Van Derlip—5.

For Messrs. De Cordova & Co. : Messrs. Cooke and Wallace—2.

On the part of the House, Mr. Cushney received 34 votes, Messrs. Cruger & Moore and Lewis & Groesbeeck received 10 votes, and Messrs. De Cordova & Co. received 2 votes.

Mr. Cushney, having received a majority of all the votes, was declared, by the Speaker, duly elected Public Printer.

On motion of Mr. Truit, the Senate returned to their chamber.

Roll called, and quorum present.

On motion of Mr. Robertson, the Senate adjourned.

MONDAY, 9 o'clock, A. M., Nov. 19, 1849.

The Senate was called to order by the President. Senators present : Messrs. Brashear, Burleson, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace. The journal of Saturday was read and adopted.

Mr. Portis presented the petition of Benjamin Bryant ; which

was, on motion of Mr. Portis, referred to the committee on the Judiciary, without reading.

Mr. Portis, also, presented the petition of sundry citizens of Austin county; which was, on motion of Mr. Portis, referred to the committee on Education, without reading.

Mr. Moffett, chairman of the committee on Engrossed Bills reported a bill to authorize and empower all County, District and State officers to continue to perform the duties of their respective offices until their successors may be elected and qualified, according to law, as correctly engrossed.

Mr. Wallace, from the committee on the Penitentiary, to whom was referred a resolution, relative to the appointment of a joint committee to examine the Penitentiary, &c., recommended the adoption of the resolution.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred the petition of Albert Von Germar, reported a joint resolution for his relief.

Mr. Wallace, chairman of the committee on Enrolled Bills, reported an act to change permanently the name of Daniel Richardson Kaufman to Daniel Kaufman Richardson; and an act to amend the second section of an act to incorporate the town of San Augustine, approved March 18, 1848, correctly enrolled, and that said bills were, this day, presented to the Governor for his approval.

Mr. Gage offered the following resolution:

Resolved, That the Finance committee be instructed to take into consideration the propriety of passing a law exempting from a license tax for pedling, articles manufactured within this State and report by bill or otherwise; adopted.

Mr. Van Derlip offered the following resolution:

Resolved, That the portion of the Governor's message relating to the amount of money now in the Treasury, which, by the constitution, is set apart for the support of free public schools, be referred to the committee on Education, with instructions to inquire into the best manner of securing the application of said sum of money to its appropriate object, and report by bill or otherwise as they may think proper; adopted.

Mr. Phillips introduced a bill to be entitled an act authorizing and requiring the Commissioner of the General Land Office to issue a head-right to A. S. Cunningham; read first time.

Mr. Phillips, also, introduced a bill to be entitled an act authorizing the Commissioner of the General Land Office to receive from the Secretary of State the archives of Martin De Leon's colony; read first time.

ORDERS OF THE DAY.

Amendments of the House of Representatives to a bill to be entitled an act to incorporate the Austin College; concurred in by the Senate.

The resolution, on the amendment of the constitution, was read third time and passed by the following vote:

Yeas: Messrs. Brashear, Burleson, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Pease, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace—19.

Nays: none.

A bill to be entitled an act to provide an appropriation for the payment of the mileage and per diem pay of the members of the Legislature of the State of Texas; read third time and passed.

A bill to be entitled an act to authorize and empower all State, District and County officers to continue to perform the duties of their respective offices until their successors shall be elected and qualified, according to law; read third time and passed.

A bill to be entitled an act supplementary to an act defining the office and duties of constables, approved 12th May, 1846; read third time and passed.

A bill to be entitled an act authorizing the Governor to offer a reward for fugitives from justice; read third time and passed.

A bill to be entitled an act to locate the seat of justice of Dallas county; read third time and passed.

A joint resolution instructing our Senators and requesting our Representatives to urge upon the Congress of the United States the passage of a law for the removal of Indians; read third time and passed.

A message was received from the House of Representatives, through their Chief Clerk, informing the Senate that the House had appointed a committee consisting of Messrs. Franklin, Fields, Jowers and Tarver on the preamble and joint resolution, relative to Santa Fe.

A bill to be entitled an act to provide for running and establishing correctly the line between Nacogdoches and Fannin land districts; read third time and passed.

A bill to be entitled an act for the relief of John Jackson of Dallas county; read, and,

On motion of Mr. Walker, laid on the table.

Report from the committee on Public Lands, on a bill to be entitled an act for the relief of the citizens of Mercer's colony; read, and,

On motion of Mr. Walker, bill and report laid upon the table.

Joint resolution for the relief of Thomas Ward, reported by the committee on Contingent Expenses; read first time.

The report of the committee on the Judiciary offering a substitute for a bill to be entitled an act to regulate motions for costs in civil actions; read, adopted, and bill ordered to be engrossed.

The report of the Judiciary committee, recommending that the bill to repeal an act prescribing the punishment for cutting down, carrying away or destroying trees or timber upon any land without the consent of the owner, was read and adopted.

A bill to punish officers guilty of extortion, together with the report of the committee on the Judiciary recommending its indefinite postponement, was read, and the report adopted.

A bill to be entitled an act to repeal the third section of an act to regulate the license and practice of attorneys and counsellors-at-law, approved 12th May, 1846; read second time and ordered to be engrossed.

The following report from the committee on the Judiciary was read:

COMMITTEE ROOM, Nov. 16, 1849.

HON. JOHN A. GREER,

President of the Senate:

The Judiciary committee, to whom was referred the petition of James Taylor, have had the same under consideration, and have instructed me to report:

The facts, set forth in the petition and sustained by indubitable testimony, show clearly that the petitioner, by the colonization laws of the Republic of Mexico, by the laws and constitution of the Republic of Texas and by the constitution and laws of this State, is entitled to the relief which he seeks. He was a married man, emigrated to Texas with his family in 1831, remained ever since in the country, discharging and performing the duties of a citizen, was a volunteer in 1836, has taken the oath required by the land law of 1837, and made the requisite proof to entitle him to a first class head-right certificate. There is nothing, in the opinion of the committee, either in the constitution, ordinances or preamble to the joint resolutions of annexation, which prevents the Legislature from granting the relief sought for. The claim appears, in every aspect, equitable and meritorious. The committee have, therefore, instructed me to report the accompanying bill and recommend its passage.

DAVID Y. PORTIS,

One of the Judiciary Committee.

A bill authorizing the Commissioner of the General Land Office to issue a head-right certificate to James Taylor; read first time.

A bill to be entitled an act to extend the Eastern boundary of the State of Texas so as to include within its limits the Western half of Sabine Pass, Sabine Lake and Sabine River up to the 32° degree of North latitude, together with the report of the Judiciary committee offering an amendment, was read; amendment adopted, and bill passed to the third reading.

Joint resolution for the relief of Albert Von Germar; read first time.

Joint resolution requiring the clerk of Austin county to record all the proceedings of the Alcalde courts, which may be found in his office; read second time, and,

On motion of Mr. Gage, referred to the committee on the Judiciary.

A bill to be entitled an act to repeal a portion of an act to give to each corporate county in this State, its own county surveyor, map and records, approved March 20th, 1848; read second time, and,

On motion of Mr. Van Derlip, referred to the committee on Public Lands.

A bill to be entitled an act for the relief of Jonathan Bird; read second time, and,

On motion of Mr. Ward, referred to the committee on Claims and Accounts.

Resolution to appoint a committee to examine the Penitentiary; read.

Mr. Phillips moved to amend the resolution by striking out "two" and inserting "one" before "members of the Senate"; lost.

Mr. Latimer moved to strike out the 2d section; lost.

Mr. Ward moved to strike out the following words: "and that the said committee be instructed to present with their report to the Legislature a small but fair average specimen of each kind of principal materials used in the erection of the Penitentiary house and wall around the same"; lost.

The resolution was then adopted.

Mr. Phillips moved to go into the election of Chaplain; carried. Messrs. Gage and Portis were appointed tellers.

Nominations being in order.

Mr. Gage nominated Rev. John Haynie.

" Van Derlip " " J. O. Hawley.

" Portis " " Wm. Smith.

Messrs. Wallace and Grimes were excused from voting.

Mr. Gage withdrew the nomination of Rev. John Haynie.

On counting the ballot, it appeared that the Rev. J. O. Hawley received 13 votes, and the Rev. Wm. Smith received four votes.

The President declared the Rev. J. O. Hawley elected Chaplain of the Senate during the present session.

Mr. Van Derlip offered the following resolution:

Resolved, That the committee on Contingent Expenses be authorized and instructed to purchase two copies of De Cordova's map of Texas for the use of the Senate; adopted.

On motion of Mr. Truit, the Senate adjourned.

TUESDAY, 9 O'CLOCK A. M., November 20, 1849.

The Senate was called to order by the President. Senators present: Messrs. Brashear, Davis, Gage, Grimes, Latimer, McKee, Moffett, Pease, Phillips, Portis, Taylor, Truit, Van Derlip, Ward, Walker and Wallace. The journal of yesterday was read and adopted.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill to repeal a portion of an act to give to each corporate county in this State, its own county surveyor, map and records, approved March 20th, 1848, reported the same back to the Senate, without amendment and recommended its passage.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to provide for ceding to the United States jurisdiction of certain lands in this State for public purposes, reported the same back to the Senate, without amendment, and recommended its passage.

Mr. Phillips, from the same committee, to whom was referred a bill to be entitled an act for the relief of Frederick Scranton, reported that, in the opinion of the committee, the constitution of the State interposes a bar to the relief sought.

Mr. Phillips, from the same committee to whom was referred a bill to be entitled an act to establish the per diem pay of the electors of President and Vice President of the United States, recommended that the second section of the bill be stricken out, and the bill, as proposed to be amended, passed.

Mr. Phillips, from the same committee, reported a substitute for